

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

SUPERIOR COURT  
C.A. NO. 04-00896

TOWN OF CANTON,

Plaintiff,

v.

SELECT ENERGY, INC.,

Defendant.

JOINT MOTION TO CONTINUE  
MEDIATION

Now come the parties in the above entitled action and jointly move this Honorable Court for an Order allowing a continuance of the mediation date of this matter which is currently scheduled for December 20, 2004, to February 3, 2005, February 4, 2005, February 22, 2005, and/or February 23, 2005. In support therefore the parties state that they are engaging in informal settlement negotiations and would like the opportunity to complete those negotiations in an effort to reach a successful resolution of this dispute prior to the expenditure of resources necessary to pursue a formal mediation of this matter.

Respectfully submitted,

The Town of Canton  
By its attorneys,

Paul R. DeRensis, BBO#121000  
Kimberly M. Sallant, BBO#548775  
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99 Summer Street  
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Select Energy,  
By its attorney,

Timothy W. Mungovan, BBO#600702  
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Boston, MA 02110  
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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

C.A. #04-11383-RGS

TOWN OF CANTON,

Plaintiff,

v.

SELECT ENERGY, INC.,

Defendant.

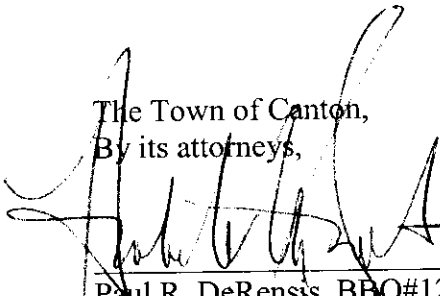
CERTIFICATE OF SERVICE

I do hereby certify that I sent a true copy of the Joint Motion to Continue Mediation to the following persons, by facsimile and first class mail on December 9, 2004:

Counsel for the defendant, Select Energy, Inc:

Timothy W. Mungovan, BBO#600702  
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